

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Wayne L Cooley,)	C/A No. 5:15-cv-01957-PMD-KDW
)	
)	
Petitioner,)	
)	ORDER
v.)	
)	
Warden Cecilia Reynolds,)	
)	
Respondent.)	
)	

Petitioner, Wayne L Cooley, is a state prisoner who filed this pro se Petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On October 16, 2015, Respondent filed a Return and Motion for Summary Judgment. ECF Nos. 30, 31. Because Petitioner is proceeding pro se, the court entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of such motions and of the need for him to file adequate responses. ECF No. 32. Petitioner was specifically advised that if he failed to respond adequately, Respondent's motion may be granted, thereby ending this case.

Notwithstanding the specific warning and instructions set forth in the court's *Roseboro* order Plaintiff has failed to respond to the Motion. As such, it appears to the court that he does not oppose the Motion and wishes to abandon this action. Based on the foregoing, Petitioner is directed to advise the court whether he wishes to continue with this case and to file a response to Respondent's Motion for Summary Judgment by **January 4, 2016**. Petitioner is further advised that if he fails to respond, this action will be recommended for dismissal with prejudice for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.



December 3, 2015
Florence, South Carolina

Kaymani D. West
United States Magistrate Judge